

UNITED STATES BANKRUPTCY COURT
District of New Jersey

Albert Russo
Cn 4853
Trenton, NJ 08650
(609) 587-6888
Standing Chapter 13 Trustee

In re:

Patricia Ann Bacon

Debtor(s)



Order Filed on March 5, 2020
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No.: 17-23764 / MBK

Hearing Date: 03/03/2020

Judge: Michael B. Kaplan

Chapter: 13

ORDER CONFIRMING MODIFIED CHAPTER 13 PLAN

The relief set forth on the following pages, numbered two (2) through four (4) is **ORDERED**.

DATED: March 5, 2020


Honorable Michael B. Kaplan
United States Bankruptcy Judge

The modified plan of the debtor having been proposed to creditors, and a hearing having been held on the confirmation of such modified plan, and it appearing that the applicable provisions of the Bankruptcy Code have been complied with; and for good cause shown, it is

ORDERED that the modified plan of the above named debtor, dated 01/20/2020, or the last amended plan of the debtor be and it is hereby confirmed. The Standing Trustee shall make payments in accordance with 11 U.S.C. § 1326 with funds received from the debtor.

ORDERED that the plan of the debtor is confirmed to pay the Standing Trustee for a period of 60 months.

ORDERED that the debtor shall pay the Standing Trustee, Albert Russo, based upon the following schedule, which payments shall include commission and expenses of the Standing Trustee in accordance with 28 U.S.C. § 586:

\$25,932.00 PAID TO DATE

\$1,226.00 for 1 month beginning 3/1/2020

\$1,389.00 for 28 months beginning 4/1/2020

ORDERED that the case is confirmed with a calculated plan funding of \$66,050.00. General unsecured creditors are scheduled to receive a pro-rata dividend of funds available.

ORDERED that the Standing Trustee shall be authorized to submit, ex-parte, an Amended Confirming Order, if required, subsequent to the passage of the claims bar date(s) provided under Fed. R. Bank. P. 3002.

ORDERED that the debtor's attorney be and hereby is allowed a fee pursuant to the filed 2016(b) Statement. Any unpaid balance of the allowed fee shall be paid to said attorney through the Chapter 13 plan by the Standing Trustee.

ORDERED that if the debtor should fail to make plan payments or fail to comply with other plan provisions for a period of more than 30 days, the Standing Trustee may file, with the Court and serve upon the Debtor and Debtor's Counsel, a Certification of Non-Receipt of Payment and request that the debtor's case be dismissed. The debtor shall have fourteen (14) days within which to file with the Court and serve upon the Trustee a written objection to such Certification.

ORDERED that to the extent Section 7 of the debtor's plan contains motions to avoid judicial liens under 11 U.S.C. § 522(f) and/or to avoid liens and reclassify claims in whole or in part, such motions are hereby granted, except as specified below:

NO EXCEPTIONS

ORDERED that upon completion of the plan, affected secured creditors shall take all steps necessary to remove of record any lien or portion of any lien discharged.

ORDERED that the Standing Trustee is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. § 1305(a).

ORDERED that section(s) 4(a) as pertains to Neptune Twp. Sewer is stricken from the Chapter 13 Plan.

ORDERED that the debtor(s) must obtain a loan modification by 7/31/2020 or as extended by Loss Mitigation Order.

- Creditor Bank of America, NA c/o Carrington Mortgage Services, LLC, PACER claim #12-1, will be paid outside of the Chapter 13 Plan.

ORDERED that if the debtor has provided for a creditor to be paid in the plan and no Proof of Claim is filed by such creditor before expiration of the applicable bar date, the debtor, pursuant to F.R.B.P. 3004, must file a Proof of Claim on behalf of the creditor within 30 days of the expiration of the applicable bar date. If the time period pursuant to F.R.B.P. 3004 has expired, the debtor must file a Proof of Claim on behalf of the creditor **and** file a motion to allow the Trustee to pay the late filed claim, or the debtor may obtain a Consent Order with the creditor authorizing the Trustee to pay an amount certain in the plan.

ORDERED as follows:

Pursuant to Order filed 12/12/2017, PACER Doc #34, the Trustee shall pay Quantum3 Group as Agent for Wollemi Acquisitions, LLC/Santander Consumer USA, Inc., PACER Claim #2-1, the sum of \$26,485.00, with monthly adequate protection payments in the amount of \$232.50 commencing in August of 2017.

Pursuant to Order Filed 6/22/2018, PACER Doc #53, the Trustee shall pay Bank of America, NA c/o Carrington Mortgage Services, LLC, PACER Claim #12-1, post petition arrears in the amount of \$25,909.20 and attorneys' fees and costs of \$526.00.